

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

RICHARD JOHNSTON,

v.

MARTHA SIMAS, *et al.*,

Plaintiff,

Defendants.

Case No. 3:23-cv-00521-MMD-CLB

ORDER

Plaintiff Richard Johnston who is incarcerated in the custody of the Nevada Department of Corrections (“NDOC”), has submitted a first amended civil rights complaint pursuant to 42 U.S.C. § 1983 (ECF Nos. 5, 5-3). On June 24, 2024, the Court issued a screening order, granting Plaintiff 30 days from the date of that order to file a second amended complaint (“SAC”) curing the deficiencies of the first amended complaint. ECF No. 11. On July 29, 2024, the Court granted Plaintiff’s motion for extension of time, extending the time to file his SAC to September 6, 2024. ECF No. 14.

Plaintiff now moves for a copy of the docket sheet. ECF No. 17. Generally, an inmate has no constitutional right to free photocopying or to obtain court documents without payment. *Johnson v. Moore*, 948 F.2d 517, 521 (9th Cir. 1991). The fundamental constitutional right of access to the courts requires prison authorities to help inmates prepare and file “meaningful legal papers by providing prisoners with adequate law libraries or adequate assistance from persons trained in the law,” *Bounds v. Smith*, 430 U.S. 817, 828 (1977); it does not impose an obligation “to finance and support prisoner litigation,” *Lewis v. Casey*, 518 U.S. 343, 384–85 (1996). Federal courts do not allow prisoners or any other litigants to accrue copy fees—payment for copy fees is required at the time a request is made. LR IC 1-1(i)(5) (paper copies of filed documents may be

1 obtained from the clerk's office after payment of copying fees).¹ As a one-time courtesy
2 to Plaintiff, however the Court will instruct the clerk's office to send him one copy of the
3 current docket sheet for this case. Accordingly, Plaintiff's motion for docket sheet is
4 granted.

5 On July 29, 2024, Plaintiff filed a second motion for extension of time to file his
6 SAC because he was concerned that his first motion to extend may not have been filed
7 in its entirety. ECF No. 13. Because the Court has already granted his first motion for
8 extension of time, Plaintiff's second motion for extension of time is duplicative. The Court
9 denies his second motion for extension of time as moot.

10 It is therefore ordered that Plaintiff's motion for docket sheet (ECF No. 17) is
11 granted. The Clerk of the Court is instructed to send Plaintiff one copy of the current
12 docket sheet for this case.

13 It is further ordered that Plaintiff's motion to extend time (ECF No. 13) is denied as
14 moot.

15 DATED THIS 19th day of August, 2024.

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18 UNITED STATES MAGISTRATE JUDGE
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27 ¹ Pursuant to 28 U.S.C. § 1914, the Judicial Conference has adopted a schedule
28 of fees for copying and related services provided by the United States Courts. A fee of
50¢ per page is charged for court staff to reproduce any record or paper filed in a case.
See Fee Schedule, available on the court's website at
<https://www.nvd.uscourts.gov/court-information/fee-schedule/>.